

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOHN D. SHAW,

Petitioner,

v.

No.9:02-CV-163
(FJS/DEP)

TODD CRAIG, WARDEN, F.C.I. Ray Brook,

Respondent.

APPEARANCES:

OF COUNSEL:

FOR PETITIONER:

JOHN D. SHAW,
Petitioner, *pro se*
13507 976TH Avenue
213
Surrey, BC V3V-7P3

FOR RESPONDENT:

HON. GLENN T. SUDDABY
United States Attorney
James T. Foley, U.S. Courthouse
445 Broadway, Room 218
Albany, NY 12207-2924

WILLIAM C. PERICAK, ESQ.
Assistant U.S. Attorney

DEPT. OF HOMELAND SECURITY
Bureau of Immigration
and Customs Enforcement
130 Delaware Avenue, Room 203
Buffalo, NY 14202

JAMES W. GRABLE, ESQ.

FREDERICK J. SCULLIN, JR., S.J.:

ORDER

Presently before the Court is Magistrate Judge David E.
Peebles' Report-Recommendation signed on March 1, 2007, in which

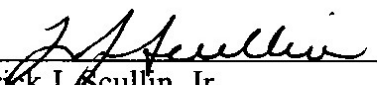
he recommends the petition in the above action be denied and dismissed in all respects. Magistrate Judge Peebles' Report-Recommendation was mailed to petitioner's last known address, but was returned to the Clerk's office marked: RETURN TO SENDER. Rule 41.2(b) of the Local Rules of Practice for the Northern District of New York states that failure to notify the Court of a change of address as required by Local Rule 10.1(b) may result in dismissal of any pending action. Therefore, in light of Petitioner's failure to notify the Court of his change of address, it is hereby

ORDERED, that the Report-Recommendation filed by Magistrate Judge David E. Peebles on March 2, 2007 is, for the reasons stated therein, **ACCEPTED** in its entirety; and it is further

ORDERED, that petition in this action is **DENIED** and **DISMISSED**.

ORDERED, that the Clerk of the Court enter judgment in favor of the Respondent and against the Petitioner and **CLOSE** this case. **IT IS SO ORDERED**.

Dated: March 22, 2007
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge